

FULL NAME	DUTY TO COOPERATE	LEGALLY COMPLIANT	SOUND	WHICH PART	WHICH PARAGRAPHS	WHICH POLICY	WHICH POLICY MAP	WHICH DIAGRAM	WHICH TABLE
Mr David Tipping	No	No	No	Policy		The actual physical sites for open space must be identified in the Local Plan Paragraph Policy EV9 Open Spaces, Sport and Recreation, Charnwood Open Spaces Strategy 2018-2036 4(2) Not sound, not positively prepared			

WHY PLAN NOT SOUND	MODIFICATIONS	HEARINGS	HEARING SESSIONS
<p>Open space shortfalls are calculated in the Open Spaces Strategy document, but no attempt has been made to determine if there is sufficient existing physical land available to address the shortfalls. Until this is done, it is not known whether it is realistic to meet the shortfalls.</p> <p>NPPF 35(a) states that plans must be</p> <p>(a) Positively prepared – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs;</p> <p>To date, the Council has only calculated shortfalls; no map-based assessment has been done to determine if there is sufficient physical land suitably close to residents that is actually available to meet the shortfalls.</p> <p>The Local Plan has thus not demonstrated that it is able to meet the objective open space needs of residents. The Local Plan has thus not been positively prepared.</p> <p>Further, NPPF 96 states that</p> <p>Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate.</p> <p>The Open Spaces Strategy identifies the need for open space by determining that significant shortfalls exist, but, by not identifying physical land, the Local Plan has not sought to determine whether the need can realistically be accommodated. The Local Plan is at odds with NPPF 96 and so is not positively prepared.</p>	<p>A map-based study must be carried out to determine the physical availability of sufficient land to meet the open space shortfalls. Where the land identified in this process is required to meet shortfalls in open space, the Council must immediately protect this land from development and then seek to designate the land appropriately for open space, sport and recreational provision. The Council should work with owners, residents and local interest groups to acquire, lease or designate the land, and work out a suitable management approach so that it can be protected as open space for the long term.</p>	<p>No</p>	